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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,002	12/30/2003	Aram Sargisian	2003 - Sargisian.Aram	6562
7590	09/21/2005			
Randal D. Homburg P.O. Box 10470 Midwest City, OK 73140-1470			EXAMINER NEWTON, JARED W	
			ART UNIT 3634	PAPER NUMBER

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/748,002

Applicant(s)

SARGISIAN, ARAM

Examiner

Jared W. Newton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/30/2003.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - The claims should begin on a separate sheet of paper. The recitation, “**What is claimed is:**” at the end of the disclosure, should introduce the claims on a new page followed by claim 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 2 and 3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The mention of the “diameter” of support members is not taught in the disclosure or drawings. The support members are shown to be rectangular in cross section, and thus should be described in terms of cross-sectional area, length and width, or perimeter so as to enable one of ordinary skill in the art to clearly understand their use and orientation.

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4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2 and 3 recite the limitation "...said first side plate and second side plate..." There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 1, 2, and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 1,131,018 to Troutman in view of U.S. Patent No. 4,745,791 to Fish. Troutman discloses a traversing jack assembly comprising an inner threaded bore 14 and 15 engaging an upper pedestal member 17 comprising a mounting block 20, an outer threaded neck 16, and a V-shaped support channel 22 (see FIG. 1). Troutman does not disclose a base frame assembly comprising side support members removably connected to a cross support member. Fish discloses an H-shaped frame adapted to support automobiles, said frame comprising side support members 8 and 9 and a cross support member 6 (see FIG. 3). Said side support member 9 comprises an inner attachment extension 16 adapted to slidably engage cross support member 6 (see FIG. 3). It would have been obvious to one of ordinary skill in the art at the time of the

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invention to combine the jack assembly as disclosed by Troutman with the frame assembly as disclosed by Fish. The motivation for said combination would be to provide said jack assembly with a support means adapted to be placed on flat ground so that the force produced by the lifted article is distributed evenly over a large surface covered by the H-shaped frame as disclosed by Fish. It would have been further obvious to one of ordinary skill in the art at the time of the invention of include the attachment means as disclosed by Fish on both the right and left sides of the jack assembly as disclosed by Troutman. The motivation would be to allow for an adjustable width of said frame in the lateral direction, while maintaining the same centered position of said jack assembly.

7. It is further noted that the use of H-shaped frames similar to that as disclosed by Fish are well known in the art of support structures. U.S. Patent Nos. 4,183,511 to Marek, 6,267,316 to Cross, and 4,674,744 to Walsh disclose frame assemblies similar to those as disclosed by Fish, and described in the present application.

8. In regard to claims 2 and 3, Troutman in view of Fish discloses a device including all of the limitations of claim 1 as set forth above. Fish further discloses said first support members having lower surfaces and end caps 22 on first and second ends, said inner attachments having aligned bolt holes with cross support member (see FIG. 3); further comprising said cross support member having bolt holes, and a larger cross-sectional area than said inner attachment extensions, so as to slidably receive said attachments so that the respective bolt holes of said inner attachment and said cross support align with each other. Troutman further discloses the jack assembly as set forth above, further comprising a pedestal including an outer threaded neck adapted to threadably

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engage said inner threaded bore of said pedestal mounting block, said pedestal further comprising upper and lower portions, said upper portion including a V-shaped channel with an inner trough surface adapted to support various articles (see FIG. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the features of the frame as disclosed by Fish with the jack assembly as disclosed by Troutman. The motivation for said combination would be to provide a means of raising and supporting a variety of different sized and shaped velocipedes, while being able to easily disassemble and relocate said means.

9. In regard to the limitation of using a bolt secured by a washer and a nut, the examiner takes official notice that it is well known in the art pertaining to fastening means to use a bolt, washer, and nut to secure two framing members to each other. Fish discloses the use of pins 19 to secure the two frame members 6 and 16. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a nut and bolt in place of said pins.

10. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Troutman in view of Fish, in further view of U.S. Patent No. 4,659,044 to Armstrong. Troutman in view of Fish discloses a device comprising all of the limitations of claims 1-3, but does not disclose an L-shaped bracket as a means of connecting said pedestal mounting block to said cross support. Armstrong discloses a generally L-shaped mounting bracket 11 comprising upper 14 and lower 15 mounting holes (see FIG. 1); said bracket adapted to straddle support member 21. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the L-shaped mounting bracket as

disclosed by Armstrong as a means of connecting the pedestal as disclosed by Troutman to the cross support bar as disclosed by Fish. The motivation for said inclusion would be to allow for a secure connection to and between the pedestal mounting block as disclosed by Troutman, as well as the cross support as disclosed by Fish.

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Troutman in view of Fish, in further view of U.S. Patent No. 3,303,936 to Barnawell. Troutman in view of Fish discloses a device comprising all of the limitations of claims 1-3, but does not disclose a T-shaped bracket as a means of connecting said pedestal mounting block to said cross support. Barnawell discloses T-shaped fastening flanges 11 comprising upper 19 and lower 13 mounting holes (see FIG. 3); said bracket adapted to straddle support member 5. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the T-shaped mounting bracket as disclosed by Barnawell as a means of connecting the pedestal as disclosed by Troutman to the cross support bar as disclosed by Fish. The motivation for said inclusion would be to allow for a secure connection to and between the pedestal mounting block as disclosed by Troutman, as well as the cross support as disclosed by Fish.

It is noted that L-shape and T-shape support brackets which straddle support members are well known in the art as a means of connecting two members or structures. Brackets similar to those according to the present invention are shown in U.S. Patent D226,808 to Rollins, D337,042 to Lin et al., and D387970 to Enslen.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared W. Newton whose telephone number is (571) 272-2952. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWN


Richard Chilcot
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